

WILMERHALE

September 20, 2013

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Via ECF

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Honorable Denise L. Cote
United States District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *Eastman Kodak Company v. Ricoh Company, Ltd.*, No. 12-cv-3109 (DLC)

Dear Judge Cote:

Kodak submits this response to Ricoh's September 20, 2013 request to move the October 21, 2013 trial date, the October 16, 2013 final pretrial conference, and the October 11, 2013 deadline for filing the Joint Pretrial Order to December 2013.

Kodak agrees to continue the trial until the week of December 16, 2013 on the condition (to which Ricoh agrees) that Ricoh stipulates to extend the stay of Ricoh's pending patent infringement claims against Kodak by the same number of days the trial of this case is continued. Kodak believes, however, that the deadline for filing the Joint Pretrial Order and the date for the final pretrial conference should remain as scheduled because the Court's rulings on issues that will be addressed at the pretrial conference may assist in the resolution of this matter. Kodak does not believe this will cause Ricoh any prejudice as Mr. Quinn has not attended any of the court-ordered mediations or hearings in this matter since Quinn Emanuel entered an appearance.

Respectfully submitted,



Michael J. Summersgill

cc: David Eiseman (by email)
Philip Charles Sternhell (by email)
Robert J. Gunther (by email)
Jordan L. Hirsch (by email)